

PATENT  
Attorney Docket **100397-5009**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Hasse R. Abrahamsson et al.** ) Confirmation No. **6477**  
Application No. **10/551,999** )  
Filed: **October 4, 2005** ) Group Art Unit: **1614**  
For: **Use of an IBAT Inhibitor for the Treatment** )  
**of Constipation (as amended)** ) Examiner: **Phyllis G. Spivack**  
 )  
 ) Date: September 2, 2008

**NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 4, 2008 of the Examiner's rejection of claims 4, 8 and 9.

The Commissioner is hereby authorized to charge **\$510.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee as set forth on the accompanying fee transmittal form.

**Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **September 2, 2008**  
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Respectfully submitted,  
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